



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director

Lowell P. Braxton
Division Director

December 13, 2002

J- SGRA
Wasatch

Deanna Binggeli
Binggeli Rock Products
P.O. Box 98
Heber City, Utah 84032

Re: Conditional Exemption from Utah Mined Land Reclamation Rules, Binggeli Rock Products,
Charleston Utah Plant, Wasatch County, Utah

Dear Ms. Binggeli:

On December 11, 2002, Division staff inspected your Charleston Utah quarry (copy of inspection memo attached) to determine if your mining operation qualified for a regulatory exemption under the Division's "Sand, Gravel and Rock Aggregate" definitions. As stated in the inspection report, your operation is currently quarrying in the western portion of the site, which is located in alluvial material. Because your operation is not presently producing aggregate from a consolidated bedrock deposit it **does qualify for an exemption under the "Sand, Gravel and Rock Aggregate" definitions.** Your current operation will not require a permit under the Utah Mined Land Reclamation Act and Administrative Rules. **This exemption is conditioned to your operations remaining in the alluvial portion of the site.**

The pit located in the eastern portion of the site is in solid bedrock. As stated in the inspection memo, if, in the future, operations should move back into the bedrock material, an application for an operating permit will be required from this office. Please contact us in advance to obtain the permit application form before advancing your operations into the solid bedrock deposit. A large mining permit could take from six to nine months or longer to receive approval.

Thank you for your cooperation in our effort to administer the requirements of the Utah Mined Land Reclamation Act.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Attachment: inspection memo
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TO: Minerals File
FROM: Doug Jensen, Reclamation Engineer *D. Jensen*
RE: Site Inspection, Binggeli Rock Products, Charleston Utah Plant, Wasatch County, Utah

Date of Inspection: December 11, 2002
Time of Inspection: 8:30 a.m.
Conditions: Cold, Breezy
Participants: Doug Jensen, Lynn Kunzler, DOGM

Purpose of Inspection:

Initial site inspection to ascertain whether Binggeli's Charleston, Utah quarry would fall under the Division's "Rock Aggregate" exemption.

Getting to the site:

The site lies on the east side of highway 189 on the outskirts of Charleston, Utah.

Observations:

On the western portion of the quarry is a large sand and gravel operation. This pit is an alluvial operation with no solid bedrock being mined.

On the eastern portion of the site is a large pit cut into a hillside (~40 acres). This pit is located in bedrock and will require a large mine permit from the Division to operate. This pit is not active at the present time and from appearances has not been operated for several years. When we spoke to Rick Miller the quarry manager, he stated that there were no plans to operate this pit in the near future.

Binggeli should be advised that before the eastern pit (located in the bedrock) is operated they would need to apply for a permit from the Division. They should be aware that a operating permit for a disturbance of this size will require a minimum of six months to process, depending on the Division work-load.

Pictures of the operation were taken of the entire site and are included with this memo.

Conclusions and Recommendations:

The site, as it is presently operating, will not need to be permitted at this time. If, in the future, operations should move back into the bedrock material, application should be made to the Division for an operating permit.

jb
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